

BIOLOGICAL RESOURCES DESCRIPTION AND RECOMMENDATIONS

Meeting Date: August 17, 2026 – Monday

PROJECT: Diskin Single-Family Residence

Project No.: PRJ2024-001264
Permit No.: RPPL2024001898, RPPL2024001899
APN: 4438-038-003
Address: 21955 Saddle Peak Road, Topanga, CA 90290
Location: Topanga Creek Watershed
USGS Quad: Topanga, California
Project Applicant: Steve Diskin
Project Biologist: Daryl Koutnik
Staff Planner: Tyler Montgomery
Staff Biologist: Michael Cady

GENERAL PROJECT DESCRIPTION

The Applicant proposes the construction of an 18-foot-tall single-family residence, as well as a new onsite wastewater treatment system (OWTS) with seepage pits, an attached two-car carport, retaining walls, and hardscaping on a 4.03-acre property. The proposed single-family residence would have a floor area of 3,498 square feet on a building site of 6,433 square feet. A total of 684 cubic yards of grading is proposed, all to be cut and exported. The lot would be accessed from Saddle Peak Road, a 60-foot-wide limited secondary highway and designated scenic route to the south, by an existing 1,300-foot-long paved private driveway. The subject parcel is surrounded by vacant land to the north and east and by single-family residences to the south and west. ERB review is required, as area proposed for development is less than 200 feet from mapped H1 and H2 Habitat. Land use designation is RL20, Rural Land—1 dwelling unit/20 acres maximum; Zoning is R-C-20, Rural Coastal—20 Acre Minimum Required Lot Area.

SITE BIOLOGICAL RESOURCES & HABITAT MAPPING

Biological Resources

The subject property is located in the Coastal Zone of the Santa Monica Mountains, approximately 2.75 miles due north of Pacific Coast Highway and about 1.4 miles west of S. Topanga Canyon Boulevard, and just north of Saddle Peak Road. The project site is located within the Topanga Creek watershed. One single-family residence is immediately west of the subject parcel with undeveloped private property to the east. Undeveloped

open space within the Santa Monica Mountains National Recreation Area (Hondo Canyon Open Space) is north and northwest of the property.

Vegetation of the region is dominated by coastal scrub, chaparral and oak woodland. The project parcel is mapped in the LCP as having H1, H2, and H3 habitats. These designations correspond to National Park Service (NPS) mapped vegetation polygons comprising the following, which are named for their dominant constituents¹:

- California Bay - California Walnut / Greenbark Ceanothus association as H1
- Chamise - California Buckwheat - (Deerweed) association as H2
- Predominantly Shrubs on Firebreak as H3
- Urban - Shrub as H3

California Bay - California Walnut / Greenbark Ceanothus association can be found on north-facing gently sloping ravines and canyon bottoms to steep upper slopes but also can occur on south-facing ravines and canyon bottoms that are moist and protected.

Chamise - California Buckwheat - (Deerweed) association occurs as sparse to open stands of shrubs on dry south-facing gentle to extremely steep slopes on rocky or thin soil. It occurs on undulating surfaces on lower to upper slopes and ridge tops.

Predominantly Shrubs on Firebreak is mapped where the land has been graded for a wildland firebreak and is becoming re-vegetated with a dominance of shrubs. Herbaceous vegetation may be present in the firebreak. Firebreaks usually follow ridge tops.

Urban – Shrub is typically used to map the transitional area between relatively undisturbed natural vegetation and built-up areas that can be classified as non-vacant and nonagricultural land use. The area has usually been cleared or thinned at some point in time, sometimes repeatedly, and can be in various stages of re-vegetation.

Survey Findings

Vegetation Communities and Land Cover

The north and south facing slopes show differences in vegetation composition: chaparral shrubland on the south and woodland on the north. Large boulders occur in both areas. The southern part of the parcel slopes down into a shallow canyon with shade and moisture at its lower parts. The northern part of the parcel lies mostly on a north-facing slope and is a boulder-strewn hillside with woodland.

Sensitive or Listed Plant and Wildlife Species

One special-status plant species has been recorded on site, Southern California walnut, during site surveys, which were conducted during the blooming periods of most

¹ Aerial Information Systems, Inc. 2007. Final USGS-NPS Vegetation Mapping Program, Santa Monica Mountains National Recreation Area Photo Interpretation Report. Prepared for Santa Monica Mountains National Recreation Area.

regionally occurring special-status plant species. Based on the results of the surveys, documented geographic distribution, recent records of occurrence in the project vicinity, and evaluation of the conditions and habitat types present, no special-status plant species are expected to have more than a low potential to occur on site with the exception of Southern California walnut.

No Federal or State special-status wildlife species have been recorded specifically from the site and none was found during the spring survey. Turkey vulture and oak titmouse are Los Angeles County Sensitive Bird Species observed during the field survey. Evidence of one potential special-status species was identified in several woodrat middens that could be the San Diego desert woodrat is a California Species of Special Concern.

Protected Trees

Three coast live oak (two of which are offsite but immediately adjacent), one Southern California black walnut, and one blue elderberry were mapped. Many California bay meeting protective criteria were noted in the Study Area, all north of the private driveway.

Riparian Features

An unnamed drainage traverses the southern portion of the parcel, flowing to the east. NWI maps this as a Freshwater Forested/Shrub Wetland. The drainage is ephemeral and does not support riparian vegetation.

Proposed changes to habitat categories: Based on the results of site investigations by the Project Biologist, vegetation types within the project footprint differ from NPS-mapped stands primarily in their extent rather than in their characteristic species. The following are the general differences between the NPS mapping and the ground-truthed mapping of the Biological Assessment (BA):

- In the northern portion of the BA determined that the H1 classification of some portions of the California Bay - California Walnut / Greenbark Ceanothus association and portions of the Predominantly Shrubs on Firebreak be changed to H2 to correspond to the Scrub Oak Shrubland association that was mapped during the field survey.
- In the southern portion, the H1 classification for the California Bay - California Walnut / Greenbark Ceanothus association has been determined to be H2 based upon the Chamise-Black Sage Shrubland association, Greenbark Ceanothus-Big Pod Ceanothus Shrubland association, and Big Pod Ceanothus Shrubland association that was mapped during the field survey.

Changes to habitat category mapping would result in designation of 1.11 acres of H1, 1.98 acres of H2, and 0.94 acres of H3 on site. These changes would represent a net increase in mapped H2 and a net reduction of H1 and H3.

PROJECT IMPACTS TO BIOLOGICAL RESOURCES

The project's disturbance footprint is mapped as H2 and H3. No fuel modification activities are proposed within the H1 habitat, and as a result, no impacts to H1 habitat are anticipated.

Habitat category	On-site impacts ⁱ [acres or sf ⁱⁱ]					Off-site impacts ⁱⁱⁱ [acres or sf]		
	Construction	Fuel-modification zones			Total	Construction	New brush thinning	Total
		A	B	C				
H1	0	0	0	0	0	0	0	0
H2	0.27	0.08	0.45	1.19	1.72	0	0	1.72
H2HS	0	0	0	0	0	0	0	0
H3	0.07	0.28	0.39	0.26	0.93	0	1.62	2.55
Total	0.34	0.36	0.84	1.45	2.65	0	1.62	3.87

ⁱ Assess using the ground-truthed habitat mapping as determined in the biological assessment.

ⁱⁱ Calculate area to the nearest 0.01 acre or to square feet if area is too small to be resolved to that degree (i.e., less than 218 sf).

ⁱⁱⁱ Assess using the adopted LCP mapping as presented on County Planning's GIS-NET.

Landscape: A landscaping plan has not been prepared.

MITIGATION & MINIMIZATION MEASURES

No minimization/mitigation measures proposed.

LOCAL COASTAL PROGRAM CONSISTENCY

- i. That the requested development is sited and designed to avoid H1 Habitat and areas within 100 feet of H1 Habitat except as permitted by Sections 22.44.1800 through 22.44.1950;

If the proposed remapping is accepted, no direct development is proposed within H1 Habitat or within 100 feet of H1 Habitat. Development would be limited to non-irrigated fuel modification within the 100-foot H1 Habitat Buffer. Movement of structures further to the south would avoid all development within the H1 Habitat Buffer but would require extremely large volumes of grading on a steep slope, as well as disruption of an existing drainage to the south.

- ii. That the requested development is sited and designed to avoid the 100-foot Quiet Zone except as set forth herein;

If the proposed remapping is accepted, direct development would be limited to construction of a required Fire Department turnaround within the 100-foot H1 Quiet Zone. Irrigated and non-irrigated fuel modification would also occur within the H1 Quiet Zone, although non-irrigated fuel modification is a permitted use within this zone. Movement of structures further to the south would avoid all development within the H1 Habitat Buffer but would require extremely large

volumes of grading on a steep slope, as well as disruption of an existing drainage to the south.

- iii. That the requested development is sited and designed to avoid H2 "High Scrutiny" and H2 Habitat to the maximum extent feasible. Where avoidance is not feasible and it is necessary to allow the owner a reasonable economic use of the property, the requested development is sited and designed to minimize and mitigate significant adverse impacts in conformance with the policies and provisions of the LCP;

If the proposed remapping is accepted, no development is proposed within the H2 "High Scrutiny" Habitat, although direct development and fuel modification would occur within H2 Habitat. While the majority of direct development would be within designated H3 Habitat, the abundance of H2 Habitat on the site requires that some development--especially driveway widening and fuel modification--occur within H2 Habitat in order to make a reasonable economic use of the property.

- iv. That the requested development is sited and designed to avoid wildlife movement corridors (migratory paths) to the maximum extent feasible to ensure these areas are left in an undisturbed and natural state. Where avoidance is not feasible and it is necessary to allow the owner a reasonable economic use of the property, the requested development is sited and designed to minimize significant adverse impacts in conformance with the policies and provisions of the LCP;

The biological assessment provided by the Applicant and reviewed by Staff indicates that the Project Site is unlikely to inhibit wildlife movement across the Project Site.

- v. That roads and utilities serving the proposed development are located and designed so as to avoid H1 Habitat, H1 buffer, and to avoid or minimize significant adverse impacts to H2 "High Scrutiny," and H2 Habitat, and migratory paths.

Roads and utilities already serve the Project Site and will be extended to the residence along the existing paved driveway. This will not result in any additional development within H1 Habitat, H1 Buffer, or H2 High Scrutiny habitat, and no additional development in H2 Habitat beyond driveway widening that is already proposed.

PROJECT SPECIFIC RECOMMENDATIONS

There are no project specific recommendations for biological resources.

ERB PROJECT GENERAL RECOMMENDATIONS

All projects shall comply with the ERB General Recommendations (see, *Attachment 1*).

Staff Recommendation:	☐ Consistent	☐ Consistent after Modifications & Bio Report Completion
	☐ Inconsistent	

(Attachment 1)
ERB General Recommendations

1. **Landscaping**—In addition to the requirements of §22.44.1240.B.3 (emphasize the use of native plant palettes in fuel-modification Zones A and B; use exclusively native plant palettes in Zone C; prohibit invasive non-natives species in all zones), the plant palette shall avoid the use of ornamental cultivars and selections, including those of California native species, that have potential to hybridize with local wild plant populations or escape into adjacent natural habitat areas.
2. **Fuel Modification**
 - a. Retain as many non-sprouting species as possible. These usually have a single trunk. Do not cut off the trunk in pruning, as this kills the plant.
 - b. Choose multiple-trunked, resprouting species for removal over non-sprouters. The remaining multi-trunked shrubs should be pruned in a staggered, clumped pattern on an alternating schedule, allowing 2 – 3 years between prunings for any one clump. Re-sprouting species can be pruned to near ground level.
 - c. It is recommended that locally-indigenous plants thinned for fuel modification be chipped and used as native plant mulch. SMM native plant mulch is not widely available in stores, but is an excellent addition to the landscape to retain soil moisture and reduce growth of invasive weeds.
 - d. Disking and indiscriminate clearing is not allowed in any Fuel Modification Zone.
 - e. For trees to have fuel ladders removed: prune lower branches up to 1/3 of tree height or up to 6 ft. maximum for trees 18 ft. and taller, per County fire requirements. Consult with LA County Planning (County Planning) or Forestry before pruning protected oaks or native trees.
 - f. Include provisions for irrigation, both permanent for Zones A and B, and temporary for establishment of native plants in Zone C and outside of Fuel Modification Zones.
3. **Permanent Runoff Control/Drainage Plan**—The Applicant shall provide a grading plan and drainage report, including proposed site design and source control best management practices to minimize post-construction runoff and infiltrate at minimum the first 0.75-inches of stormwater. This plan should show all proposed drainage improvements, such as locations of infiltration basins, measures to convey runoff from impervious surfaces into permeable areas of the property (e.g., raingardens or bioswales) in a non-erosive manner, measures to maximize the ability of native substrates to retain and infiltrate runoff, and placement of cisterns or rain barrels for stormwater capture.
4. **Glass** should be least reflective or have frit patterns that will promote energy conservation and prevent bird strikes caused by the bird mistaking a reflection of habitat for available flight space, per §22.44.1320.
5. **Lighting** should carefully follow provisions of §22.44.1270 for exterior lighting. Avoid trespass of light into the night sky and onto natural areas both on and off the project parcels.
6. **Biological Monitor**—Prior to the issuance of a grading permit, a qualified biologist shall be retained by the Applicant as the lead biological monitor subject

to the approval of County Planning. That person shall ensure that impacts to all biological resources are minimized or avoided, and shall conduct (or supervise) pre-grading field surveys for species that may be avoided, affected, or eliminated as a result of grading or any other site preparation activities. The lead biological monitor shall ensure that all surveys are conducted by qualified personnel (e.g., avian biologists for bird surveys, herpetologists for reptile surveys, etc.) and that they possess all necessary permits and memoranda of understanding with the appropriate agencies for the handling of potentially-occurring special-status species. The lead biological monitor shall also ensure that daily monitoring reports (e.g., survey results, protective actions, results of protective actions, adaptive measures, etc.) are prepared, and shall make these monitoring reports available to County Planning and CDFW at their request.

7. **Staking of Grading Limits**—The Applicant's contractor shall delineate the proposed grading limits of the building site or the extents of the proposed development area, whichever is greater, the driveway, and the extents of the fuel modification zones before any of the measures outlined below are implemented. The contractor shall not remove any native vegetation during staking and shall set the stakes so that they are clearly visible. The locations of the stakes within the fuel modification zones shall be recorded using GPS and provided to the project biologist.
8. **Nesting Bird Survey & Protection Plan**—Initial staging, grubbing, grading, and construction shall be scheduled to occur outside the nesting season of birds as defined by the CDFW, if feasible. Regardless of timing, breeding bird surveys shall be conducted before any activities are scheduled to occur and before installation of any protective fencing (see below), as follows:
 - a. If initial grubbing, grading, and construction activities are scheduled to occur outside CDFW defined nesting season (generally February 1 – August 31), a qualified biologist with experience in conducting breeding bird surveys in the Santa Monica Mountains shall conduct a survey within 7 days prior to and again within 3 days of the date that activities are scheduled to begin. The biologist should focus efforts within the grading area, development area, the fuel modification zones, the driveway area, and areas within 50 ft. of them. The biologist should also survey 300 ft. beyond these areas, as access allows.
 - b. If avoidance of the avian breeding season is not feasible, a qualified biologist with experience in conducting breeding bird surveys in the Santa Monica Mountains shall conduct weekly bird surveys beginning thirty days prior to the initiation of project activities, to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 500 ft. of the disturbance area. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of project activities. If a protected native bird is found in suitable nesting habitat, all project activities within 300 ft. of on- and off-site suitable nesting habitat (within 500 ft. for suitable raptor nesting habitat) may be delayed until August 31. Alternatively, the qualified biologist may continue the surveys in order to locate any active nests. If the biologist determines that there are

active nests within or adjacent these areas, they should establish appropriate buffer zones, as defined in “c” below.

- c. If an active nest is found, regardless of time of year, project activities within 300 ft. of the nest (within 500 ft. for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate the inside boundary of the buffer of 300 ft. (or 500 ft.) between the project activities and the nest. Project personnel, including all contractors working on site, shall be instructed on the sensitivity of the area.
 - d. The qualified biologist shall provide County Planning with a brief report summarizing the results of the surveys, as well as a description and assessment of implemented protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.
 - e. If the qualified biologist determines that a narrower buffer between the project activities and observed active nests is warranted, he/she shall submit a written explanation as to why (e.g., species-specific information; ambient conditions and birds’ habituation to them; and the terrain, vegetation, and birds’ lines of sight between the project activities and the nest and foraging areas) to County Planning and CDFW. Based on the submitted information, County Planning (in consultation with CDFW) will determine whether to allow a narrower buffer.
 - i. In circumstances when activities are scheduled to occur between an original buffer and a reduced buffer, a qualified biologist should monitor the nest before, during, and after the activities, to determine if it is being affected.
 - ii. The only activities that shall be allowed between the original buffer and the reduced buffer are those that generate noise levels less than 60 dBA as measured at the resource. The biologist shall record noise levels every hour and must have the authority to stop any activities that exceed 60 dBA if they determine that it is affecting, or has the potential to affect the outcome of a nest.
 - iii. The biologist shall send weekly monitoring reports to County Planning and, upon request, to CDFW, documenting the status of monitored nests, and shall notify County Planning immediately if project activities damage active avian nests.
9. **Temporary wildlife fencing** shall be utilized to reduce the potential for wildlife being harmed by or moving into the work site. The project proponent’s contractor shall delineate the grading limits/approved development area and shall fence the area in its entirety with green screen before beginning removal of any vegetation, as follows:
- a. To install the screen, laborers will remove a 5-foot strip of vegetation at the limits of the grading limits/development area using hand-held tools to allow wildlife, including special status species, a chance to escape and reduce the potential of them being crushed by heavy machinery.

- b. The green screen shall be partially buried, or fitted with silt fence that is partially buried, in a manner that reduces the potential for wildlife moving back in.
- c. Laborers installing the fence shall remain within the cut areas and any paths leading to it.
- d. A biologist shall monitor fence installation so that they can capture and relocate wildlife as necessary, and to ensure that no protected trees or special status plants are impacted during installation.
- e. The biologist must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals.
- f. A gated entrance shall allow ingress and egress. The gates shall remain open until after the project biologist conducts a pre-construction survey and shall be closed only after vegetation is cleared from within the fenced area (see below).

10. Pre-Construction Biological Resources Survey & Site Clearance—A pre-construction biological resources survey shall be conducted within the area that is screened and within areas adjacent the driveway the day after screening.

- a. The project proponent's contractor shall plan to remove vegetation from within the screened area no more than 1 day after completion of the Pre-Construction Biological Resources Survey.
- b. Laborers shall use hand-held tools to remove the vegetation. Using hand-held tools will allow wildlife, including special-status species, a chance to escape and reduce the potential of them being crushed by heavy machinery.
- c. A biologist shall monitor vegetation removal so that they can capture and relocate wildlife as necessary.
- d. The biologist must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals.

11. Initial Grubbing & Grading—Initial grubbing and grading shall occur 3 to 7 days after vegetation has been cleared from the proposed development area/grading limits. The delay between vegetation clearance and the grubbing and grading activities will allow wildlife, including special-status species, a chance to escape and reduce the potential of them being crushed by heavy machinery.

- a. A biologist shall monitor initial grading and grubbing so that they can capture and relocate wildlife as necessary.
- b. The biologist must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals.

12. Initial Fuel Modification—The site shall only be fuel-modified after the construction phase of the proposed project has been completed or as otherwise directed by the Fire Department.

- a. A qualified biologist shall implement the Nesting Bird Survey & Protection Plan before fuel modification occurs.
- b. A qualified biologist shall be present during initial fuel modification activities and shall stake the limits of fuel modification and flag any areas or plants to be excluded from fuel modifications.
- c. The stakes shall remain in place until after fuel modification activities have been completed.

- d. A qualified biologist shall be present during initial fuel modification activities to ensure that no protected trees or special-status species are damaged by the fuel modification activities.